

# **Exhibit K**

# **EXHIBIT 20**

**EXHIBIT FILED UNDER SEAL**

**UBER\_JCCP\_MDL\_000122017-UBER\_JCCP\_MDL\_000122017.25**

# **Sexual Assault Lookback Audit**

2017 - 2019

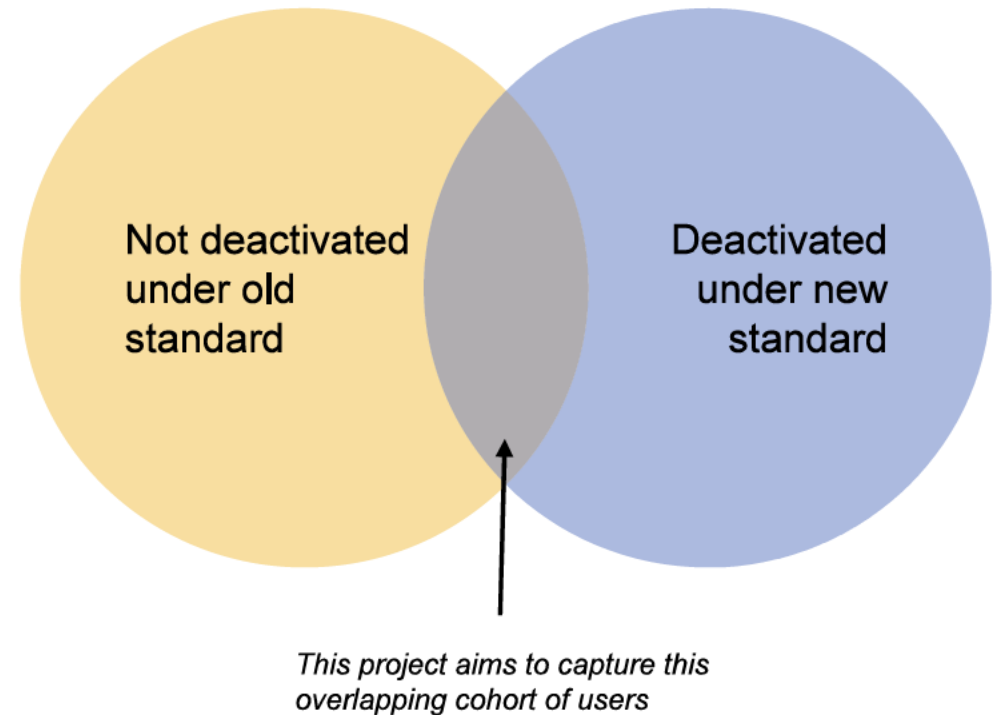
A/C Privileged

**Uber**

# Summary of Project

## Auditing historical Sexual Assault reports

- We created a revamped Sexual Assault standard with input from various stakeholders and advocates. In some ways, the new standard is more strict than the previous one
- Because we feel confident in the new standard, we want to retroactively review prior cases against the new standard
- Those users who would be deactivated under the new standard will be deactivated



# Why we are doing this review

Ensuring consistency and limiting risk from bad actors

## Apply consistent criteria

- Now that we are applying more stringent deactivation criteria, we should apply the same standards to historical tickets
- Note: we don't always do this, but given the sensitivity of Sexual Assault, consistency is important

## Manage risk

- We've determined that users meeting the updated deactivation criteria are a risk to the platform
- Therefore, we should ensure that users meeting that criteria are deactivated from the platform

## Prepare for Transparency Report

- The forthcoming Transparency Report will bring scrutiny to our standards and processes
- Therefore, we need to ensure that historical reports have been handled according to the most updated guidance

# Review of Sexual Assault standard

# Category A and Category B

The Sexual Assault Subcategories are split up into Category A (more severe) and Category B. The focus of this audit is on Category A, though we will do about 150 Category B cases at the end.

## Category A

- Non-Consensual Sexual Penetration
- Non-Consensual Kissing - Sexual Body Part
- Non-Consensual Touching - Sexual Body Part
- Attempted Non-Consensual Sexual Penetration
- Non-Consensual Kissing - Non-Sexual Body Part

## Category B

- Non-Consensual Touching - Non-Sexual Body Part
- Attempted Kissing - Sexual Body Part
- Attempted Touching - Sexual Body Part
- Attempted Kissing - Non-Sexual Body Part
- Attempted Touching - Non-Sexual Body Part
- Insufficient Information



# Requirements for resolved report

In order for a report to be resolved, it needs either:

## Statement of experience

- A user needs to follow up with their statement of experience, which should include:
  - **Definitive allegation** - what happened to whom, by whom
  - **Firsthand account** - should come directly from the victim, unless they are a minor or are too traumatized
  - **Enough information** - the listener should have a good sense of what happened

OR

## Corroborating relevant facts

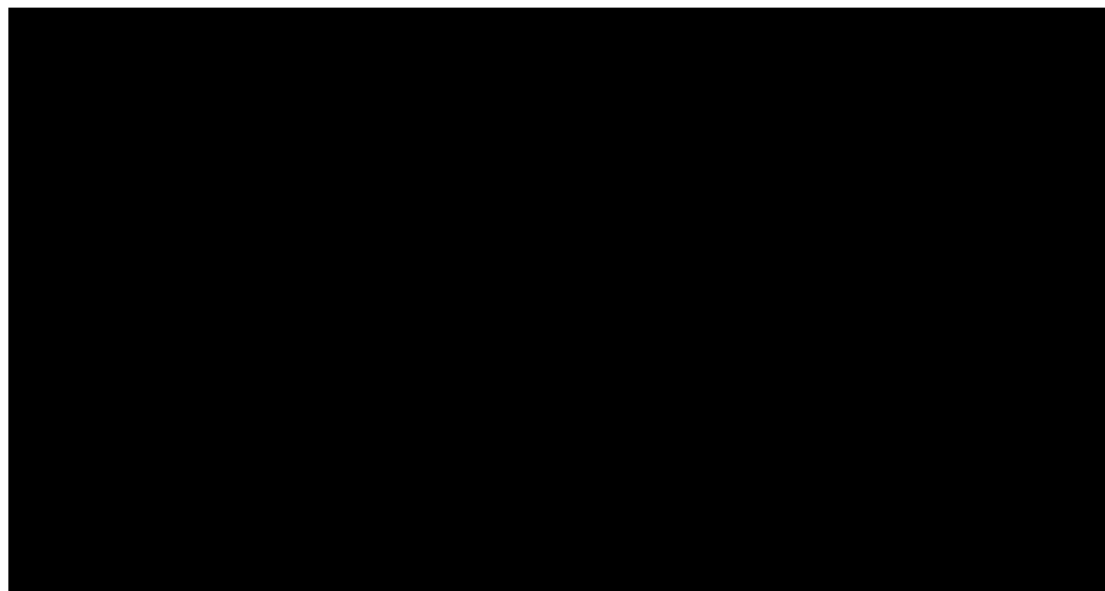
- Look for additional details, including but not limited to:
  - GPS data
  - Accused party's confirmation
  - Video/photo/audio/screenshot
  - Third party co-rider (not guest rider) report of incident
  - Unrelated third party witness (e.g. bouncer at bar, unrelated witness) report of incident

If a report has neither, it's inactive

# Deactivation criteria: notations

We will start with Category A reports and expand to Category B

- The notations system accounts for both incident categories and report statuses
- We chose the name “notations” because it is neutral and allows for multiple per incident.
- If a user has a previous SA/SM report against them, review that report as well and determine the appropriate notations
- **Any user with 3 or more notations should be deactivated.**



# Invalid reports: 0 notations

## Not in connection with Uber app

- Incident involved only the driver (and possibly any other third party) and the driver was not online
- Incident involved only the rider and (and possibly any other third party) and the rider was not on trip nor boarding or alighting from their dispatched vehicle

*Example: Rider reports that driver assaulted her when both were in college 10 years ago*

## Apparent intent is not to report safety incident

Safety reports describing factually implausible events, or safety reports with what appears to be clear and evident alternative motivations for reporting (other than to report a safety event) must be documented as Invalid.

*Example: Rider indicates that original report of assault was just to get Uber's attention about their lost item*

*Example: Rider has direct and persistent inquiry to receive credits, with no focus on safety incident*

## User rescinds report

An incident should be considered Invalid if the person making the report and, if applicable, the reported victim rescinds their report by offering additional facts that disaffirms the original allegation. Examples of rescinding include:

*Example: Rider indicates that they remembered the report actually happened on Lyft, not Uber*

# Invalid reports cont.: 0 notations

## JIRA is duplicate

Non primary duplicate Safe JIRAs must be documented as Invalid. Non primary duplicates generally contain less information than the primary Safe JIRA.

*Example: Investigator notes in the comment section that a duplicate JIRA was created with a link to the primary ticket.*

## General concern of Uber safety

References to general Uber user safety concerns, particularly after media-related events, must be documented as Invalid. The apparent intent of this report is not to report a safety incident, but rather to inquire or reference existing incidents which have already been reported.

*Example: Driver reports: "Hey Uber - I heard about the death of a recent driver -- what are you going to do about it?"*

## Safety report is de-escalated

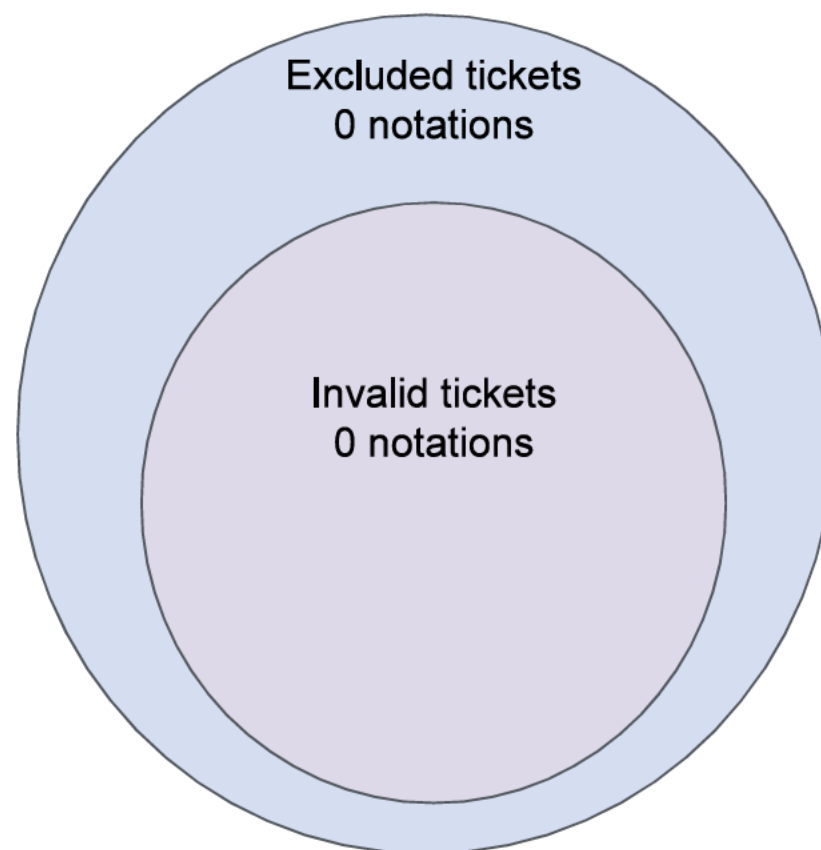
If upon investigation the incident reported in JIRA was not a safety incident per the global safety taxonomy, the ticket must be documented as Invalid.

*Example: A ticket is initially categorized as an Attempted Non-Consensual Sexual Penetration. After further communication, it is discovered this was a lost item, which is not a safety incident. The item was later returned.*

# Excluded reports: 0 notations

## Excluded reports are:

1. Reports which meet the [Invalid Ticket Definition](#), OR
2. Reports in which the relevant facts materially conflict with the report and/or statement of experience
  - For reports which have been rescinded, refer to rescinding logic in the Invalid Ticket Definition
  - For reports in which a third party's account differs from the reported victim's, the reported victim's account should take priority.



# Audit process

# Audit numbers and methodology

Pulled all users who were:

- Accused of a Sexual Assault incident from 2017 - June 1 2019
- Still active/unbanned on Uber
- Report has been audited
- Report is not invalid

So far, [REDACTED]  
[REDACTED]

150 Category B tickets will also be added as a P1

# Audit process





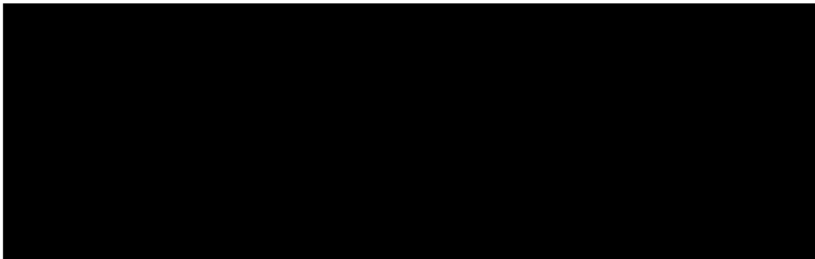
## Slide 13

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- 1 +mrefaat@uber.com +valerie.shuping@uber.com : Do you think France can use the same label here please?  
\_Reassigned to Refaat\_  
Soazig Hubert; 4/22/2020 9:21:32 AM
- 1 For better tracking, I think we can use [REDACTED]  
  
And so for other countries to conduct this exercise in the future...  
What do you think?  
Refaat; 4/21/2020 10:07:48 AM
- 2 good idea. do you know who can create a label?  
Soazig Hubert; 4/21/2020 10:27:46 AM
- 2 Agents just add the label to the JIRA, then we can filter or query them later  
Refaat; 4/21/2020 10:46:45 AM
- 1 \_Marked as done\_  
Sylvia Dzialowy; 4/22/2020 9:21:19 AM
- 2 \_Re-opened\_  
Sylvia Dzialowy; 4/22/2020 9:21:32 AM

# Tracking sheet with tickets

- Names will be marked for assignments
- We will prioritize tickets randomly for the first few days so we get a sense for deactivation distribution and time commitment
- After that, we will prioritize by severity, auditing the more severe tickets first
- You will need to evaluate the following, and the notations and the deactivation determination will be populated automatically:

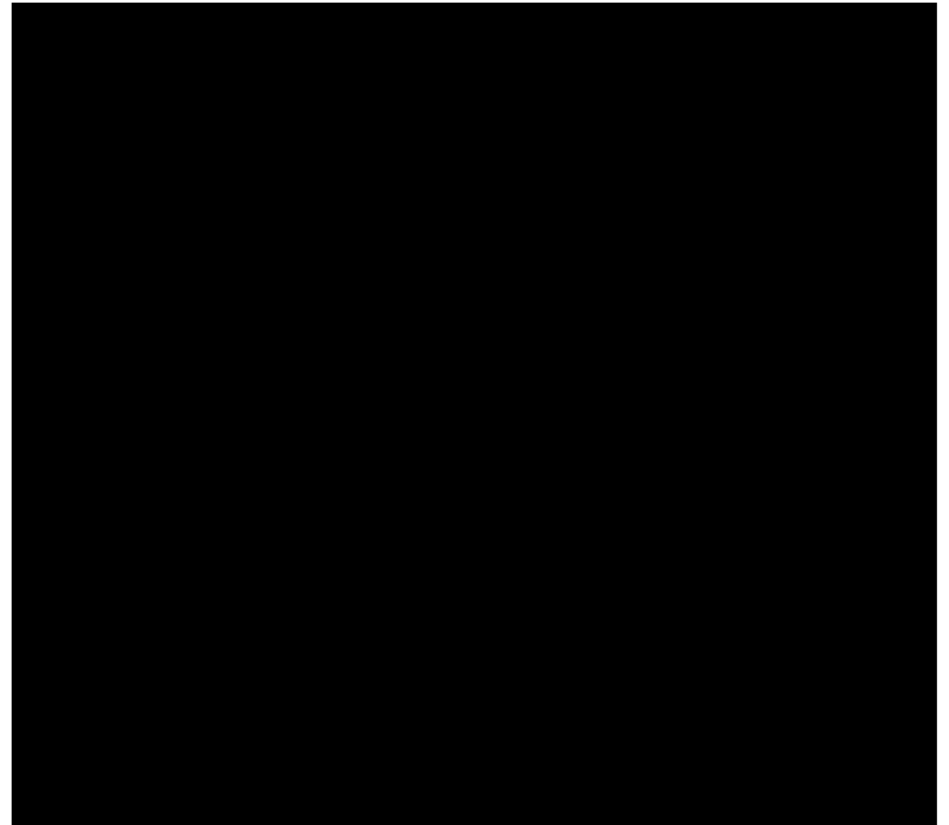


[Link to Tracker](#)

# Categorization

- In the tracker, you'll be asked to set a category for each report. This is used for:
  - Data tracking, to better break down the population of audited tickets
  - Reference, when we need to go back and refer to a specific ticket or find examples of a specific type of ticket
- During the course of the audit, additional categories may come up that aren't on the list. Bring them up, and we'll add them!

## Current Categories



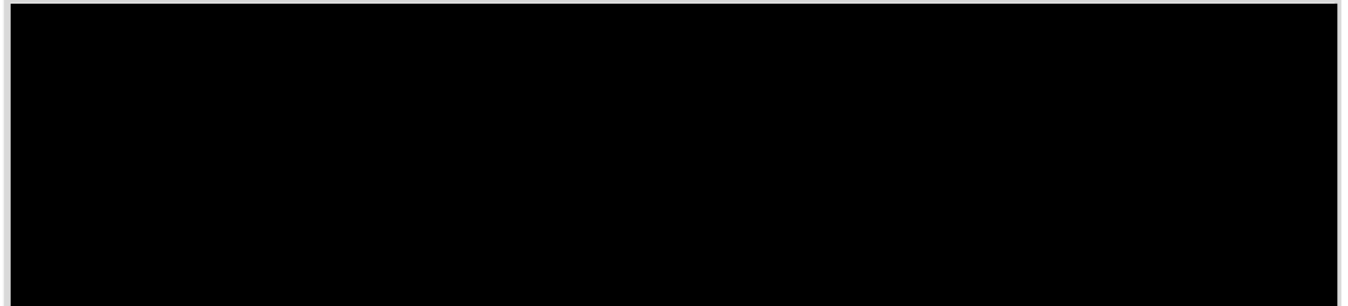
# FAQ: What if I'm unsure?

**Gray area / edge case**

In some cases, the fact pattern will be unusual and not fall neatly into the standard requirements, and you may be unsure about what action to take. If you run into a case like this:



**Escalate for Category**



# FAQ: What if relevant facts conflict?

**Materially conflicts**

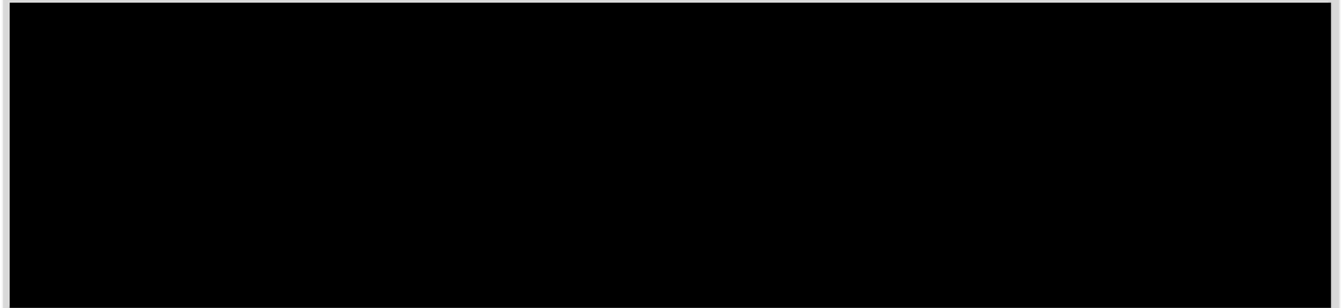


**Does not materially  
conflict**

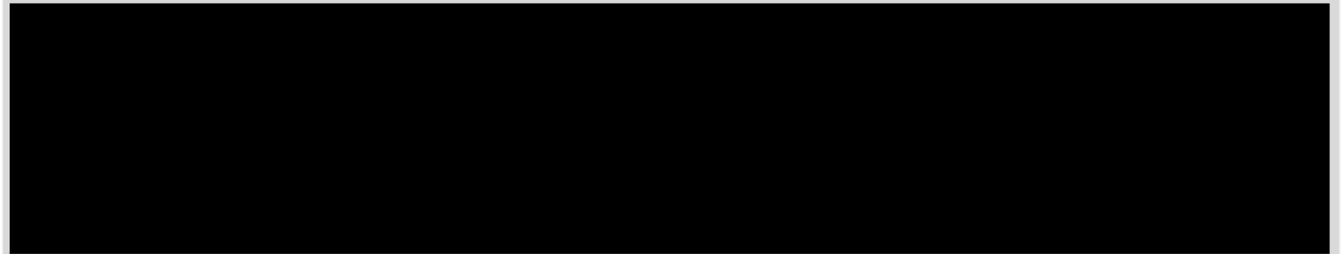


# FAQ: What if the rider doesn't remember?

**Definitive allegation**

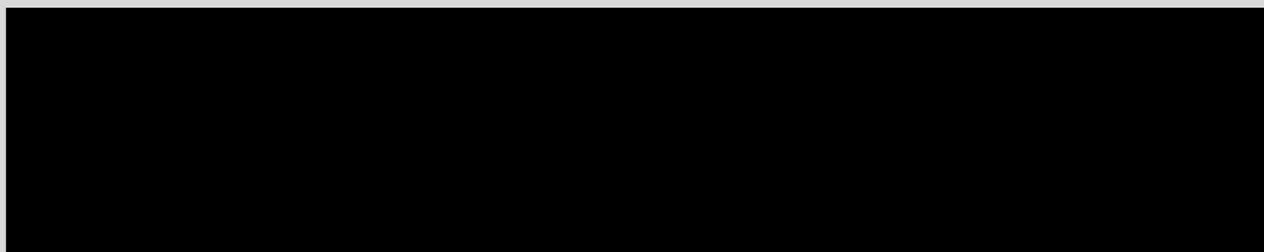


**No definitive allegation**



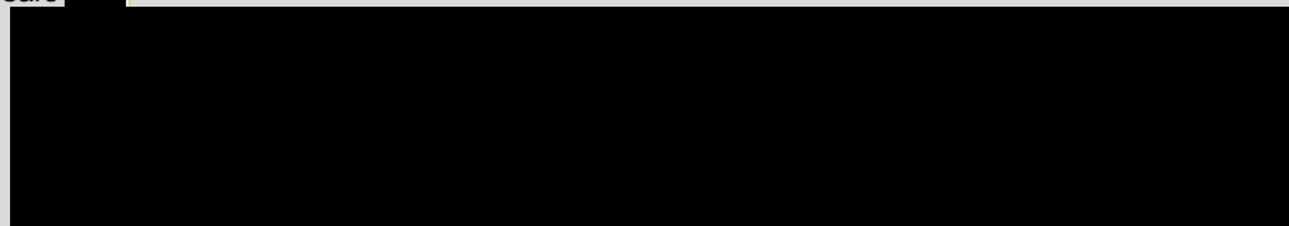
# FAQ: What do we do about guest riders?

**Guest rider is known to account holder, and contact information is requested**



**Guest rider's contact information is not requested, or guest rider is not known to account holder**

Though we now ask the account holder for the guest rider's information, we did not always do that in years [REDACTED]



# Live Examples

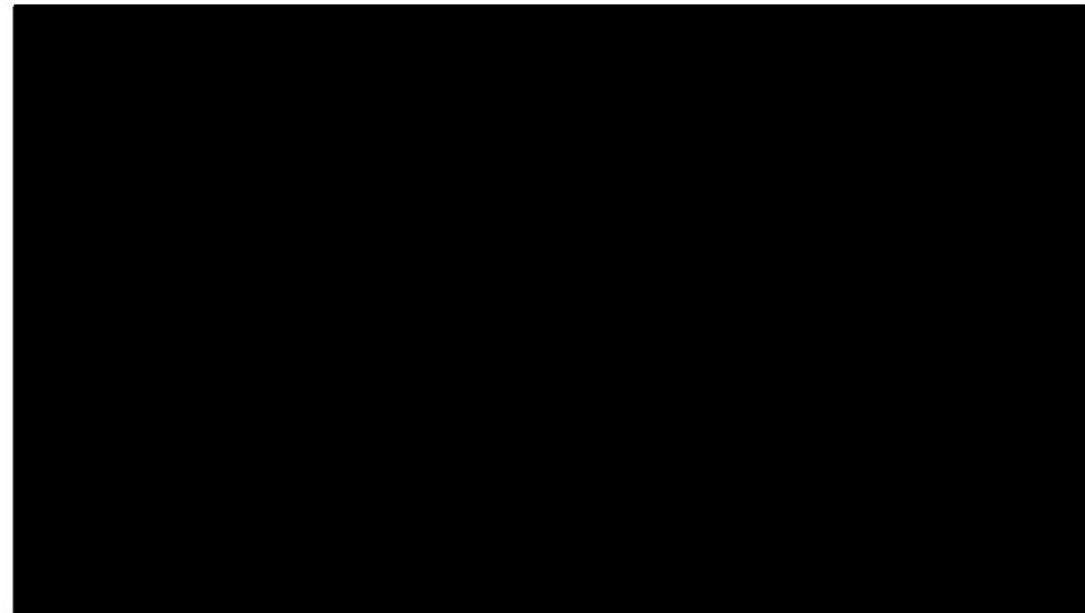


# Appendix

# FAQ: What if the subcategory seems wrong?

- All of these tickets have been audited, meaning they've gone through several rounds of review. As you know, the subcategory has been finalized as part of that process
- As such, we should go with the subcategory assigned during the audit

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# Documentation

## Notes in tracker

- Regardless of outcome, please leave a few sentences' summary of the report in the "Notes" column. This can also be a good place to document judgment calls, if needed.
  - This helps for recall of certain tickets, and it's also helpful for creating examples of fact patterns later on

## Saved replies

- If in evaluating the report, the accused party should be deactivated, please do so using the saved replies located [HERE](#)

## JIRA comments

- Please update the executive summary with your findings (status, category, and # of notations) as well as any action.
- Please also leave a comment on the JIRA to document the audit. The comment template can be found [HERE](#)

# 9/19/19 Meeting

- Adding note to Tools page
- Note on Critical Safety Inbounds
- Cadence of meetings
- Comms once first 30 are finished - let me know and I will assign you more
- Escalation Path - TLs
- Examples
  - [GPS data found](#)
  - Clarisa's sheet

## UBER\_JCCP\_MDL\_000122017

## Metadata

<b>All Custodians</b>	Baker, Matthew;Brown, Greg;Chang, Frank;Gibbons, Catherine;Hawk, Cassie;Shuping, Valerie	SEMANTIC
<b>All Paths</b>	Baker, Matthew: \JCCP-EDISCO-23800_2021_ApriltoJune\JCCP-EDISCO-23800_2021_ApriltoJune_16.zip; Baker, Matthew: \JCCP-EDISCO-23800_2021_ApriltoJune\JCCP-EDISCO-23800_2021_ApriltoJune_16.zip; Baker, Matthew: \MassTort_Category3_DRIVE\MassTort_Category3_DRIVE_2.zip; Baker, Matthew: \MassTort_Category3_DRIVE\MassTort_Category3_DRIVE_2.zip; Baker, Matthew: \MassTort_Category4_DRIVE\MassTort_Category4_DRIVE_1.zip; Baker, Matthew: \MassTort_Category4_DRIVE\MassTort_Category4_DRIVE_1.zip; Brown, Greg: \Drive_003_002_Drive003_001\JCCP_Drive003_001\JCCP_Drive003_001_14.zip; Brown, Greg: \Drive_003_002_Drive003_001\JCCP_Drive003_001\JCCP_Drive003_001_14.zip; Chang, Frank: \EDISCO-25937_frank@uber.com\EDISCO-25937_frank@uber.com_52.zip; Chang, Frank: \EDISCO-25937_frank@uber.com\EDISCO-25937_frank@uber.com_52.zip; Gibbons, Catherine: \EDISCO-24765_Drive\EDISCO-24765_Drive_31.zip; Gibbons, Catherine: \EDISCO-24765_Drive\EDISCO-24765_Drive_31.zip; Gibbons, Catherine: \Gibbons, Catherine\EDISCO-25478_cgibbons@uber.com_DR_17.zip; Gibbons, Catherine: \Gibbons, Catherine\EDISCO-25478_cgibbons@uber.com_DR_17.zip; Gibbons, Catherine: \MassTort_Category2_DRIVE\MassTort_Category2_DRIVE_2.zip; Gibbons, Catherine: \MassTort_Category2_DRIVE\MassTort_Category2_DRIVE_2.zip; Hawk, Cassie: \Hawk, Cassie\EDISCO-25478_hawk@uber.com_DR_9.zip; Hawk, Cassie: \Hawk, Cassie\EDISCO-25478_hawk@uber.com_DR_9.zip	SEMANTIC
<b>Application</b>	Microsoft 2007 PowerPoint Presentation	SEMANTIC
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<b>Confidentiality</b>	Confidential	SEMANTIC
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<b>File Size</b>	5106868	SEMANTIC
<b>Hidden Content</b>	Yes;	SEMANTIC
<b>Other Custodians</b>	Baker, Matthew;Brown, Greg;Chang, Frank;Gibbons, Catherine;Hawk, Cassie;Shuping, Valerie	SEMANTIC
<b>Primary Date</b>	09/11/2019 7:07 pm	DOC_TYP E_ALIAS
<b>Production Volume</b>	UBER023;Vol039;JCCP_MDL031;	SEMANTIC
<b>Redacted</b>	No	SEMANTIC
<b>Sort Date</b>	06/04/2021 10:07 pm	SEMANTIC